

REMARKS

By this Amendment, Applicants rewrite claim 1 to include the recitations of claims 2 and 3, rewrite claim 8 to include the recitations of claims 9 and 10, and cancel claims 2, 3, 6, 7, 9, 10, 13, and 14, without prejudice or disclaimer of the subject matter thereof. Claims 1, 4, 5, 8, 11, and 12 are now pending in this application.

In the Office Action mailed March 9, 2004, the Examiner rejected claims 6 and 13 under 35 U.S.C. § 102(b) as anticipated by Osamu (Japanese Patent Application No. 2000134316); rejected claims 1-5 and 8-12 under 35 U.S.C. § 103(a) as unpatentable over Martensson (European Patent Application No. EP 498,997) in view of Osamu; and rejected claims 7 and 14 under 35 U.S.C. § 103(a) as unpatentable over Osamu in view of Martensson.

Because Applicants have canceled claims 6 and 13 without prejudice or disclaimer, the rejection of these claims under 35 U.S.C. § 102(b) as anticipated by Osamu is rendered moot.

Applicants respectfully traverse the rejection of claims 1-5 and 8-12 under 35 U.S.C. § 103(a) as unpatentable over Martensson in view of Osamu. Because Applicants have canceled claims 2, 3, 9, and 10 without prejudice or disclaimer, the rejection with regard to these claims is moot.

Applicants also respectfully traverse the Examiner's citations in the Office Action (page 5, for example) to portions of Osamu (citing col. 4, line 1 to col. 5, line 15), which are written in the Japanese language. While the Abstract of the document is written in the English language, the remainder of the document is not. M.P.E.P. § 706.02 states, in the section captioned "Reliance Upon Abstracts and Foreign Language Documents in Support of a Rejection" that when a document is in a language other than English and

the Examiner seeks to rely on that document, a translation must be obtained so that the record is clear as to the precise facts the Examiner is relying upon in support of the rejection. Accordingly, the rejection is improper for at least this reason and should be withdrawn.

In an effort to expedite prosecution, Applicants respond to the rejection based upon the English language Abstract of Osamu.

Applicants' claim 1 recites a communication terminal comprising, among other things, "display mode setting means for selectively setting a first display mode for displaying only the received message received by said message receiving means; a second display mode for displaying only the stored user identification information stored in phone book; determining means for determining whether the first display mode or second display mode is set by said display mode setting means; and display control means for selectively displaying the received caller name and the stored user name corresponding to a stored user phone number that coincides with the received caller phone number according to the determination result of the determining means, wherein said display control means displays only the message received by said message receiving means when the first display mode is set." Martensson and Osamu, taken alone or in combination, do not disclose or suggest at least these features.

By contrast, Martensson discloses ringing a phone when a CLI (calling line identification) signal is not present. See col. 6, lines 5-7. Martensson also discloses that when a CLI signal is present, the CLI number is displayed on the display when no telephone number stored in the numeric fields of the telephone number store 100 matches the incoming number. See col. 6, lines 14-19. A user of the phone is then

given the opportunity to store the incoming call with accompanying text. See col. 6, lines 27-34. However, these teachings do not disclose or suggest the exemplary features of claim 1, recited above.

In addition, the Examiner admits Martensson "does not disclose a service function for notifying of a message that contains a caller phone number and a caller name, the communication terminal comprising: message receiving means for receiving the caller phone number and the caller name in the message from said network included in an incoming call signal" (Office Action, page 4). The Examiner then alleges Osamu makes up for the deficiencies of Martensson. Applicants respectfully disagree.

Osamu does not disclose or suggest "display mode setting means for selectively setting a first display mode for displaying only the received message received by said message receiving means; a second display mode for displaying only the stored user identification information stored in phone book; determining means for determining whether the first display mode or second display mode is set by said display mode setting means; and display control means for selectively displaying the received caller name and the stored user name corresponding to a stored user phone number that coincides with the received caller phone number according to the determination result of the determining means, wherein said display control means displays only the message received by said message receiving means when the first display mode is set," as recited in claim 1.

see Figures 4a-4e

*section 0019
- 0025 line
13 1*

By contrast, Osamu discloses communication terminal equipment having a single mode for displaying a name that is read from an internal table when a caller name is received from an exchange. Information is displayed in a call originating source

information display area 4a. See Abstract. Accordingly, Martensson and Osamu, taken alone or in combination, do not disclose or suggest at least "display mode setting means for selectively setting a first display mode for displaying only the received message received by said message receiving means" and "determining means for determining whether the first display mode or second display mode is set by said display mode setting means," as recited in claim 1. The Examiner should thus withdraw the rejection of claim 1 for at least these reasons.

Osamu (Fig. 4A, Section 0019, lines 9-12)
Osamu (Section 0018, lines 1-19)
No Single mode

Applicants also respectfully traverse the Examiner's allegations regarding a motivation to combine Martensson with Osamu. The Examiner alleges it "would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication terminal of Martensson to include a caller name in the message from said network as taught by Osamu, to provide identification of the source of call origination." (Office Action, page 5). However, as disclosed by Osamu, telephone number terminal 8a stores names of callers, and caller names are read out of telephone number terminal 8a when there is an incoming call. See Abstract. But Osamu does not teach providing information of the source of call origination. Accordingly, Osamu does not motivate the combination alleged by the Examiner. For at least this additional reason, the Examiner should withdraw the rejection of claim 1.

Section 0019, lines 3-9

Claim 8, while of a different scope, includes elements similar to that of allowable claim 1. Accordingly, for at least the reasons discussed above in relation to allowable claim 1, the Examiner should also withdraw the rejection of claim 8.

Claims 4 and 5; and 11 and 12 depend from allowable claims 1 and 8, respectively. At least due to their dependencies from allowable claims, and because

these dependent claims include additional elements that are neither disclosed nor suggested by the applied prior art, the Examiner should withdraw the rejection of claims 4, 5, 11, and 12.

Finally, because Applicants have canceled claims 7 and 14 without prejudice or disclaimer, the rejection of these claims under 35 U.S.C. § 103(a) as unpatentable over Osamu in view of Martensson is moot.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: June 9, 2004

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